

**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA**

**U.S.A. vs. Russell Boddie, III**

**Docket No. 7:08-CR-132-1FL**

**Petition for Action on Supervised Release**

COMES NOW J. Brock Knight, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Russell Boddie, III, who, upon an earlier plea of guilty to 21 U.S.C. § 841(a)(1), Possession With Intent to Distribute a Quantity of Marijuana, and 18 U.S.C. § 924(c)(1), Possession of a Firearm in Furtherance of a Drug Trafficking Crime, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge on April 9, 2009, to the custody of the Bureau of Prisons for a term of 66 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Russell Boddie, III, was released from custody on September 26, 2012, at which time the term of supervised release commenced.

On August 4, 2015, a Petition for Action on Supervised Release was submitted to the court addressing cocaine use on July 12, 2015. The defendant was continued on supervision and conditions were modified to include service of 3 days in jail and participation in a cognitive behavioral program as directed by the probation office.

On August 28, 2015, a Petition for Action on Supervised Release was submitted to the court addressing cocaine use on August 2, 2015. The defendant was continued on supervision and conditions were modified to include service of 4 days in jail and continued participation in a cognitive behavioral program as directed by the probation office.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On July 2, 2016, the defendant was arrested by Deputy Guidi of the New Hanover County Sheriff's Department, in Wilmington, North Carolina, and charged with Driving While impaired (16CR055153). The defendant was also charged with the infractions of Failure to Maintain Lane Control and Failure to Carry a Valid Driver's License. The charges are pending adjudication in New Hanover County District Court. When the undersigned probation officer confronted the defendant about this criminal conduct, he candidly admitted same and expressed sincere remorse for operating a motor vehicle after consuming alcohol. As a sanction for this violation conduct, service of 5 additional days in jail is recommended.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 additional days, as arranged by the probation office, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,  
/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing  
is true and correct.  
/s/ J. Brock Knight  
J. Brock Knight  
U.S. Probation Officer  
2 Princess Street Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-679-2030  
Executed On: July 7, 2016

**ORDER OF THE COURT**

Considered and ordered this 8th day of July, 2016 and ordered filed and  
made a part of the records in the above case.



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Louise W. Flanagan  
U.S. District Judge